

HOUSE BILL NO. 665

INTRODUCED BY W. STAHL

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT PUBLIC SEWAGE SYSTEMS IN CITIES WITH A POPULATION OF MORE THAN 20,000 MEET THE MORE STRINGENT OF EITHER PRIMARY DRINKING WATER STANDARDS OR NONDEGRADATION STANDARDS AT THE POINT OF DISCHARGE; PROVIDING RULEMAKING AUTHORITY; AND REQUIRING MONITORING."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Public sewage system for large municipalities -- intent -- findings -- requirements. (1) The legislature, mindful of its constitutional obligations under Article II, section 3, and Article IX of the Montana constitution, has enacted this section. It is the legislature's intent that the requirements of this section provide adequate remedies for the protection of the environmental life support system from degradation and provide adequate remedies to prevent unreasonable depletion and degradation of natural resources.

(2) The legislature finds that:

(a) increasing population of cities near Montana's rivers and streams is causing diminished water quality and threatens habitat for fish and wildlife;

(b) the state has a duty and legitimate interest in protecting the integrity of its rivers and streams on behalf of all its citizens;

(c) the state has a duty and legitimate interest in protecting people and private property by protecting water quality;

(d) conservation and protection of rivers and streams is crucial to the quality and quantity of water that is available to Montanans for domestic, agricultural, industrial, and recreational use; and

(e) fish and wildlife that rely on rivers, streams, and streamside habitats are held in trust for the benefit of all Montanans.

(3) The legislature recognizes that:

(a) Montana's rivers and streams provide important natural resources that belong to the people of the state and that benefit the economy, the environment, and the quality of life that Montanans enjoy;

(b) increasing population of cities along the state's rivers results in pollution being discharged into state

1 waters;

2 (c) sewage discharge from large cities affects the health and welfare of downstream communities; and

3 (d) many of the state's rivers are cherished in their natural state by all Montanans.

4 (4) (a) The board shall adopt rules and standards to require that a public sewage system that operates
5 within a city with a population of more than 20,000 according to the most recent census must meet the more
6 stringent of either primary drinking water standards pursuant to Title 75, chapter 6, or the nondegradation
7 requirements pursuant to 75-5-303 at the point of discharge.

8 (b) A discharge that is authorized under the pollution discharge permit rules adopted by the board
9 pursuant to this section may not include a mixing zone.

10 (c) The board shall establish an annual fee for each city subject to this section to pay for compliance
11 monitoring.

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13 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
14 integral part of Title 75, chapter 5, part 3, and the provisions of Title 75, chapter 5, part 3, apply to [section 1].

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